

REMARKS

This application pertains to novel process and apparatus for the catalytic treatment of dust and oxygen-containing exhaust gases which also contain sulfur and nitrogen oxides.

Claims 1-19 are pending.

Claims 13-15 and 17-19 have been withdrawn from consideration as drawn to non-elected subject matter, so that the claims under consideration are claims 1-12 and 16.

Applicants respectfully request that, upon the allowance of the claims drawn to the elected subject-matter, the claims drawn to the non-elected subject matter be rejoined.

Claims 1-12 and 16 stand rejected under 35 U.S.C. 112, first paragraph, because the Examiner does not see where the specification supports the limitation that the substances (i.e., the free oxides, carbonates, hydroxides of calcium, magnesium, sodium and potassium) are present in or added to the exhaust gases prior to contact of said exhaust gases with said catalyst.

Support for this limitation can, however, be found in several places in the specification. The Examiner's attention is, for example, respectfully drawn to the first full paragraph of page 8 of the specification. There he will see that CaO and Ca(OH)₂ are present before entrance into the reactor. Then in Fig. 3 and in the

discussion of Fig. 3 at page 7, the Examiner will see that "Additives 28, e.g. $\text{Ca}(\text{OH})_2$ are added before the reactor.

The catalyst is in the reactor and the oxides, hydroxides, etc. are present in or added to the gas before the reactor. Therefore they are added before contact with the catalyst.

The test for sufficiency of support is whether the disclosure of the application relied upon "reasonably" conveys to the artisan that the inventor had possession of the invention claimed (see 2163.02 MPEP). When reading the language discussed above and considering the drawings in the light of the description of the drawings, those persons having ordinary skill in the art will clearly recognize that Applicants' invention includes the addition of the substances (oxides, carbonates, hydroxides, etc.) before contact of the gases with the catalyst.

The rejection of claims 1-12 and 16 under 35 U.S.C. 112, first paragraph should therefore now be withdrawn.

In view of the present remarks, it is believed that claims 1-19 are now in condition for allowance. Reconsideration of said claims by the Examiner is respectfully requested, and the allowance thereof is courteously solicited.

Upon the allowance of elected subject matter, it is respectfully requested that the claims drawn to non-elected subject matter be rejoined.

CONDITIONAL PETITION FOR EXTENSION OF TIME

If any extension of time for this response is required, Applicants request that this be considered a petition therefor. Please charge the required petition fee to Deposit Account No. 14-1263.

ADDITIONAL FEE

Please charge any insufficiency of fee or credit any excess to Deposit Account No. 14-1263.

Respectfully submitted,
NORRIS, McLAUGHLIN & MARCUS, PA

By Andrew N. Parfomak
Andrew N. Parfomak
Reg. No. 32,431

WCG/zs

875 Third Avenue - 18th Floor
New York, New York 10022
(212) 808-0700

I hereby certify that this correspondence is being transmitted via facsimile, no. 703-872-9306 to the United States Patent and Trademark Office, addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date stated below.

By Zsuzsa Schuster
Zsuzsa Schuster

Date July 6, 2005